JUN 21 1967

JOHN F. DAVIS, CLERK

IN THE

SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1966.

No. 1242.

KENNETH A. GREEN,
Petitioner,

v.

THE PEOPLE OF THE STATE OF ILLINOIS,
Respondents.

PETITION FOR REHEARING ON DENIAL OF PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF ILLINOIS.

KENNETH A. GREEN, Pro Se,
Apartment 108,
3541 North Meridian Street,
Indianapolis, Indiana 46208.

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PETITION FOR REHEARING ON DENIAL OF PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF ILLINOIS.

Kenneth A. Green, Petitioner, Pro Se, respectfully prays that the Court review the decision of May 29, 1967, denying his Petition for Writ of Certiorari, and grant a rehearing.

GROUNDS ALLEGED.

Intervening Circumstances of Substantial and Controlling Effect.

I.

Since the denial of certiorari on May 29, 1967 there has been published (on June 1, 1967) the opinions in the

cases of Anders v. State of California, decided May 8, 1967 (... U. S. ..., 87 S. Ct. 1396) and Entsminger v. State of Iowa, decided May 8, 1967 (... U. S. ..., 87 S. Ct. 1402). These cases re-affirm the rule that denial of the right to appeal the conviction of a felony to the state's highest court where such right is established by statute constitutes a denial of equal protection of the law. The fact that there was denial of this Petitioner's right to appeal his conviction (involving conviction of a felony) to the Illinois Supreme Court is not denied by the Respondent.

In denying the Petition for Writ of Certiorari to this Petitioner, and in allowing the Writ in these recently published cases of Anders v. State of California and Entsminger v. State of Iowa, constitutes a denial to this Petitioner of the same equal protection that was afforded Anders and Entsminger. In the present case the right to appeal was categorically denied this Petitioner, who managed to pay the costs of appeal. The denial of this fundamental right had no basis or excuse, as in Anders and Entsminger.

II.

The Clerk of this Court has recently advised this Petitioner that the Respondent did not file a brief in opposition to the Petition for Writ of Certiorari. This constitutes an admission as to Petitioner's correctness in alleging, among other things, that equal protection of the law was denied the Petitioner when the Illinois Supreme Court denied the Petitioner the right to appeal his felony conviction to the Illinois Supreme Court where the appeal was properly perfected and where the Illinois Constitution and statutes guarantee that right. This point and supporting cases are set forth on pages 13 to 19 of the Petition for Writ of Certiorari.

Wherefore, it is respectfully prayed that a rehearing be allowed and certiorari granted.

Respectfully submitted,

KENNETH A. GREEN,
Petitioner, Pro Se,
Apt. 108,
3541 North Meridian,
Indianapolis, Indiana 46208.

Certificate in Conformity With Rule 58.

It is hereby certified that this Petition for Rehearing is presented in good faith and not for delay.

It is further certified that the Petition is restricted to intervening circumstances of substantial and controlling effect.

Kenneth A. Green,
Petitioner, Pro Se.

Subscribed and sworn to before me this 20th day of June, 1967.

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Notary Public.